

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 96, As Amended in the Senate

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO TRANSPORTATION; AMENDING SECTION 63-2407, IDAHO CODE, TO DELETE DEDUCTIONS RELATING TO CERTAIN MOTOR FUELS; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE THE APPORTIONMENT FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS CREDITED TO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AMENDING SECTION 49-202, IDAHO CODE, TO INCREASE FEES FOR SERVICES RELATING TO ISSUING TITLES AND REGISTRATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE DRIVER'S LICENSE AND PERMIT FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-328, IDAHO CODE, TO INCREASE FEES FOR REINSTATEMENT OF LICENSES, TO DELETE ARCHAIC LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-523, IDAHO CODE, TO INCREASE FEES FOR ISSUING TEMPORARY PERMITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-1224, IDAHO CODE, TO INCREASE FEES FOR CERTIFICATION OF SELF-INSURANCE; AMENDING SECTION 49-1607, IDAHO CODE, TO INCREASE FEES FOR ISSUING CERTAIN LICENSES; AMENDING SECTION 49-2444, IDAHO CODE, TO INCREASE FEES FOR IDENTIFICATION CARDS; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX UPON MOTOR FUEL, TO PROVIDE EFFECTIVE DATES AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 63-2424, IDAHO CODE, TO REVISE CERTAIN FEES RELATING TO VEHICLES POWERED BY GASEOUS FUELS AND TO PROVIDE EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 63-2407, Idaho Code, be, and the same is hereby amended to read as follows:

63-2407. DEDUCTIONS AUTHORIZED. Each licensed distributor shall deduct from his monthly report:

(1) Motor fuel exported from this state other than in the supply tanks of motor vehicles, motor boats or aircraft when supported by a shipping document, an invoice signed by the purchaser, or other proper documents approved by the commission but only if:

(a) The purchaser is not a licensed distributor and the seller can establish that any tax due in the jurisdiction to which the motor fuel is destined is paid; or

(b) The purchaser is a licensed distributor in the jurisdiction to which the motor fuel is destined.

(2) Motor fuel returned to a licensed distributor's refinery or pipeline terminal storage when supported by proper documents approved by the commission.

(3) Motor fuel lost or destroyed by fire, lightning, flood, tornado, windstorm, explosion, or other accidental casualty, after presenting to the commission satisfactory proof of loss.

(4) The number of gallons which would be equal to two percent (2%) of the total number of gallons received during the reporting period, less the total number of gallons deducted under subsections (1) through (3) of this section, which credit is granted to the licensed distributor to reimburse him for loss from evaporation, handling, spillage and shrinkage, except losses caused by casualty as provided in subsection (3) of this section.

(5) Motor fuel sold to the Idaho national guard for use in aircraft and in vehicles used off public highways provided, however, such deduction is supported by an exemption certificate signed by an authorized officer of the Idaho national guard.

~~(6) In the case of motor fuel that is:~~

~~(a) Gasohol, deduct the number of gallons of denatured anhydrous ethanol contained in gasohol imported or blended during the reporting period and that would be taxable in the report but for the deduction allowed by this subsection.~~

~~(b) Biodiesel, deduct the number of gallons that are sold during the month to which the report relates to any person other than a licensed distributor.~~

~~(c) A biodiesel blend, deduct the number of gallons of biodiesel contained in the biodiesel blend imported, blended or received from a licensed distributor who is a biodiesel producer during the month to which the report relates. In the case of a licensed distributor who is a biodiesel producer, the deduction is only available when the producer sells its biodiesel blends to a person who is not a motor fuel distributor licensed in this state.~~

~~(d) The deduction provided in this subsection shall not exceed ten percent (10%) of (i) the volume of gasohol reported on the report or (ii) the special fuel which is or contains biodiesel.~~

~~(e) The deduction allowed by paragraphs (b) and (c) of this subsection is only available for motor fuel otherwise subject to tax under this chapter.~~

SECTION 2. That Section 40-701, Idaho Code, be, and the same is hereby amended to read as follows:

40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is established in the state treasury an account known as the "Highway Distribution Account," to which shall be credited:

(a) Moneys as provided by sections 63-2412(1)(e)4. and 63-2418(3), Idaho Code;

(b) All moneys collected by the department, their agents and vendors, and county assessors and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically provided for; and

(c) All other moneys as may be provided by law.

(2) The highway distribution account shall be apportioned as follows:

(a) An amount equivalent to the motor fuel tax exceeding twenty-five cents (25¢) per gallon shall be deposited to the highway maintenance, preservation and restoration fund created under section 40-701A, Idaho Code, and the remainder shall be distributed:

(b) Thirty-eight percent (38%) to local units of government as provided in section 40-709, Idaho Code;

(~~bc~~) Fifty-seven percent (57%) to the state highway account established in section 40-702, Idaho Code; and

(~~ed~~) Five percent (5%) to the law enforcement ~~account~~ fund, established in section 67-2914, Idaho Code. The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement ~~account~~ fund as the moneys become available to the highway distribution account.

(3) Interest earned on the investment of idle moneys in the highway distribution account shall be paid to the highway distribution account.

(4) All idle moneys in the dedicated highway trust or asset accounts or subaccounts established from highway user revenues, reimbursements, fees or permits shall be invested by the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with respect to other surplus or idle moneys in the state treasury. Interest earned on the investments shall be returned to the various highway trust or asset accounts and subaccounts.

SECTION 3. That Chapter 7, Title 40, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 40-701A, Idaho Code, and to read as follows:

40-701A. ESTABLISHMENT OF HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND – APPORTIONMENT. (1) There is hereby established in the state treasury a fund known as the "Highway Maintenance, Preservation and Restoration Fund," to which shall be credited:

(a) Moneys as provided in section 40-701(2)(a), Idaho Code; and

(b) All other moneys as may be provided by law.

(c) Interest earned on the investment of idle moneys in the highway maintenance, preservation and restoration fund shall be paid to the fund as provided for in subsection (2)(b) of this section.

(2) Moneys in the highway maintenance, preservation and restoration fund shall be apportioned as follows:

(a) Thirty eight percent (38%) to local units of government as provided in section 40-709, Idaho Code; and

(b) Sixty two percent (62%), with all interest accruing thereon, to remain in the highway maintenance, preservation and restoration fund established in this section for expenditure by the Idaho transportation department in accordance with the provisions of subsection (3) of this section.

(3) Moneys in the highway maintenance, preservation and restoration fund as provided in subsection (2)(b) of this section are hereby continuously appropriated to the Idaho transportation department. Expenditures of moneys from the fund by the department shall be made only for the maintenance, preservation and restoration of the state highway system. In no event shall expenditures be made from this dedicated fund for capacity expansion projects. Provided however, that no moneys shall be expended from such fund unless and until the

department has made plans for and begun implementation of a statewide pavement management system or similar management tool that is efficient, effective and widely accepted in the trade or practice for coordinating a statewide system for the management of pavement maintenance.

SECTION 4. That Section 49-202, Idaho Code, be, and the same is hereby amended to read as follows:

49-202. DUTIES OF DEPARTMENT. (1) All registration and driver's license records in the office of the department shall be public records and open to inspection by the public during normal business hours, except for those records declared by law to be for the confidential use of the department, or those records containing personal information subject to restrictions or conditions regarding disclosure. If the department has contracted for a service to be provided by another entity, an additional fee shall be charged by that contractor whether the service is rendered during normal business hours, other than normal business hours or on weekends.

(2) In addition to other fees required by law to be collected by the department, the department shall collect the following:

- (a) For certifying a copy of any record pertaining to any vehicle license, any certificate of title, or any driver's license \$814.00
- (b) For issuing every Idaho certificate of title \$814.00
- (c) For furnishing a duplicate copy of any Idaho certificate of title \$814.00
- (d) For issuance or transfer of every certificate of title on a new or used vehicle or other titled vehicle in an expedited manner (rush titles), in addition to any other fee required by this section \$1526.00
- (e) For recording a transitional ownership document, in addition to any other fee required by this section \$1526.00
- (f) For furnishing a replacement of any receipt of registration \$35.00
- (g) For furnishing copies of registration or ownership of motor vehicles or driver's license records, per vehicle registration, accident report records, title or per driver's license record \$47.00
- Additional contractor fee, not to exceed \$4.00
- (h) For services in searching files of vehicle or other registrations, vehicle titles, or driver's licenses per hour \$1018.00
- (i) Placing "stop" cards in vehicle registration or title files, each \$1221.00
- (j) For issuance of an assigned or replacement vehicle identification number (VIN) \$1018.00
- (k) For a vehicle identification number (VIN) inspection whether conducted by a city or county peace officer or any other peace officer or designated agent of the state of Idaho, per inspection \$35.00
- (l) For all replacement registration stickers, each \$12.00
- (m) For issuing letters of temporary vehicle clearance to Idaho-based motor carriers \$1018.00
- (n) For all sample license plates, each \$1221.00
- (o) For filing release of liability statements \$2003.50
- (p) For safety and insurance programs for each vehicle operated by a motor carrier \$2003.50

A lesser amount may be set by rule of the board.

(3) The fees required in this section shall not apply when the service is furnished to any federal, state, county or city peace officer when such service is required in the performance of their duties as peace officers.

(4) The department may enter into agreements with private companies or public entities to provide the services for which a fee is collected in subsection (2)(g) of this section. Such private contractor shall collect the fee prescribed and remit the fee to the department. The contractor shall also collect and retain the additional fee charged for his services.

(5) (a) The department shall pay three dollars (\$3.00) of the fee collected by a county assessor or other agent of the department as provided in subsection (2)(a) through (f) of this section, and four dollars (\$4.00) as provided in subsection (2)(g) of this section, to the county assessor or sheriff of the county or agent collecting such fee, which shall be deposited with the county treasurer and credited to the county current expense fund. The remainder of the fees collected as provided in that subsection shall be paid by the department to the state treasurer and placed in the state highway ~~fund~~ account.

(b) The fee collected under subsection (2)(k) of this section for a VIN inspection shall be placed in the city general fund if conducted by a city peace officer, in the county current expense fund if conducted by a county peace officer, shall be retained by the special agent authorized to perform the inspection, or paid to the state treasurer and placed to the credit of the Idaho state police if conducted by the Idaho state police or in the state highway ~~fund~~ account if conducted by the department.

(c) The fee collected under subsection (2)(o) of this section for filing release of liability statements shall be retained by the county assessor of the county collecting such fee, and shall be deposited with the county treasurer and credited to the county current expense fund.

(d) The fee in subsection (2)(m) of this section shall not apply when the Idaho-based motor carrier or its representative obtains and prints the document using internet access.

(e) The fee collected under subsection (2)(p) of this section for motor carriers shall be paid by the department to the state treasurer and placed in the state highway ~~fund~~ account. The director and the director of the Idaho state police shall jointly determine the amount to be transferred from the state highway ~~fund~~ account to the law enforcement fund for motor carrier safety programs conducted by the Idaho state police pursuant to the provisions of section 67-2901A, Idaho Code.

(6) The department as often as practicable may provide to law enforcement agencies the record of suspensions and revocations of driver licenses via the Idaho law enforcement telecommunications system (ILETS).

(7) The department shall provide the forms prescribed in chapter 5 of this title, shall receive and file in its office in Ada county, all instruments required in chapter 5 of this title to be filed with the department, shall prescribe a uniform method of numbering certificates of title, and shall maintain in the department indices for such certificates of title. All indices shall be by motor or identification number and alphabetical by name of the owner.

(8) The department shall file each registration received under a distinctive registration number assigned to the vehicle and to the owner thereof.

(9) The department shall not renew a driver's license or identification card when fees required by law have not been paid or where fees for past periods are due, owing and unpaid including insufficient fund checks, until those fees have been paid.

(10) The department shall not grant the registration of a vehicle when:

- 1 (a) The applicant is not entitled to registration under the provisions of this title; or
2 (b) The applicant has neglected or refused to furnish the department with the information
3 required in the appropriate form or reasonable additional information required by the
4 department; or
5 (c) The fees required by law have not been paid, or where fees for past registration
6 periods are due, owing and unpaid including insufficient fund checks.
- 7 (11) The department or its authorized agents have the authority to request any person to
8 submit to medical, vision, highway, or written examinations, to protect the safety of the public
9 upon the highways. The department or its authorized agents may exercise such authority based
10 upon evidence which may include, but is not limited to, observations made.
- 11 (12) The department shall revoke the registration of any vehicle:
12 (a) Which the department shall determine is unsafe or unfit to be operated or is not
13 equipped as required by law;
14 (b) Whenever the person to whom the registration card or registration plate has been
15 issued shall make or permit to be made any unlawful use of the same or permit their use
16 by a person not entitled thereto;
17 (c) For any violation of vehicle registration requirements by the owner or operator in the
18 current or past registration periods;
19 (d) Whenever a motor carrier requests revocation, or whenever an interstate carrier's
20 federal operating authority has been revoked;
21 (e) For failure of the owner or operator to file the reports required or nonpayment of
22 audit assessments or fees assessed against the owner by the department or the state tax
23 commission pursuant to audit under the provisions of section 49-439, Idaho Code;
24 (f) Identified by any city or county administering a program established by ordinance for
25 the inspection and readjustment of motor vehicles (which program is part of an approved
26 state implementation plan adopted by both the state and federal governments under 42
27 U.S.C. section 7410) as having failed to comply with an ordinance requiring motor
28 vehicle emission inspection and readjustment; provided that no vehicle shall be identified
29 to the department under this subsection (f) unless:
30 (i) The city or county certifies to the department that the owner of the motor
31 vehicle has been given notice and had the opportunity for a hearing concerning
32 compliance with the ordinance and has exhausted all remedies and appeals from
33 any determination made at such hearing; and
34 (ii) The city or county reimburses the department for all direct costs associated
35 with the registration revocation procedure.
- 36 (13) The department shall not reregister or permit a vehicle to operate on a special trip
37 permit until all fees, penalties and interest have been paid.
- 38 (14) The department shall institute educational programs, demonstrations, exhibits and
39 displays.
- 40 (15) The department shall cancel a driver's license or identification card when fees
41 required by law have not been paid or where fees are due, owing and unpaid including
42 insufficient fund checks, until those fees have been paid.
- 43 (16) The department shall examine persons and vehicles by written, oral, vision and skills
44 tests without compulsion except as provided by law.
- 45 (17) The department shall employ expert and special help as needed in the department.

1 (18) The department shall compile accident statistics and disseminate information relating
2 to those statistics.

3 (19) The department shall cooperate with the United States in the elimination of road
4 hazards, whether of a physical, visual or mental character.

5 (20) The department shall place and maintain traffic-control devices, conforming to
6 the board's manual and specifications, upon all state highways as it shall deem necessary
7 to indicate and to carry out the provisions of this title or to regulate, warn, or guide traffic.
8 No local authority shall place or maintain any traffic-control device upon any highway under
9 the jurisdiction of the department except by the latter's permission, except where the duly
10 elected officials of an incorporated city have established speed limits lower than those set by
11 the department on the portion of state highways, excluding controlled-access and interstate
12 highways, that pass through residential, urban or business districts within the jurisdiction of the
13 incorporated city. The placement and maintenance of such a traffic-control device by a local
14 authority shall be made according to the board's manual and specifications for a uniform system
15 of traffic-control devices.

16 (21) The department may conduct an investigation of any bridge or other elevated
17 structure constituting a part of a highway, and, if it shall find that the structure cannot with
18 safety to itself withstand vehicles traveling at a speed otherwise permissible under this title,
19 shall determine and declare the maximum speed of vehicles which the structure can safely
20 withstand, and shall cause or permit suitable signs stating the maximum speed to be erected and
21 maintained before each end of the structure.

22 (22) Whenever the department shall determine on the basis of an engineering and traffic
23 investigation that slow speeds on any highway or part of a highway impede the normal and
24 reasonable movement of traffic, the department may determine and declare a minimum speed
25 limit below which no person shall drive a vehicle except when necessary for safe operation
26 or in compliance with law, and that limit shall be effective when posted upon appropriate
27 fixed or variable signs, except in cases where the duly elected officials of an incorporated
28 city have established speed limits lower than those set by the department on portions of state
29 highways, excluding controlled-access and interstate highways, that pass through residential,
30 urban or business districts within the jurisdiction of the incorporated city.

31 (23) The department shall regulate or prohibit the use of any controlled-access highway
32 by any class or kind of traffic which is found to be incompatible with the normal and safe
33 movement of traffic.

34 (24) The department shall erect and maintain traffic-control devices on controlled-access
35 highways on which any prohibitions are applicable.

36 (25) Wherever a highway crosses one (1) or more railroads at grade, the department
37 or local authorities within their respective jurisdictions shall place and maintain stop signs,
38 directing vehicular traffic approaching the crossing to come to a full stop prior to entering the
39 crossing at all railroad crossings where electric or mechanical warning signals do not exist.
40 Placement of these stop signs shall be mandatory except when in the determination of public
41 highway agencies the existence of stop signs at a given crossing would constitute a greater
42 hazard than their absence based on a recognized engineering study.

43 Nothing in this subsection shall be construed as granting immunity to any railroad
44 company as to liability, if any, for an accident which might occur at a crossing where stop signs
45 are erected and in place, but liability, if any, shall be determined as provided by law. Liability

on the part of governmental authorities on account of absence of any stop sign at a crossing shall be determined as provided by law.

(26) The department and local authorities are authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of those zones and when signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey those directions.

(27) The department and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this title or title 40, Idaho Code.

(28) The department and local highway authorities within their respective jurisdictions may place official traffic-control devices prohibiting, limiting or restricting the stopping, standing or parking of vehicles on any highway where such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles unduly interferes with the free movement of traffic thereon.

(29) On any informational material printed after July 1, 1995, by or at the order of the department and distributed to counties, school districts or individuals for the purpose of assisting a person to successfully pass a driver's license test, the department shall include material about the state's open range law and responsibilities, liabilities and obligations of drivers driving in the open range.

SECTION 5. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or for a driver's license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department and sheriffs and their deputies are authorized to administer the oaths without charge. Every application for a permit, extension or driver's license shall be accompanied by the following fee, none of which is refundable:

(a) Class A, B, C (4-year) license with endorsements - age 21 years and older	\$28.50 <u>40.00</u>
(b) Class A, B, C (3-year) license with endorsements - age 18 to 21 years ...	\$20.50 <u>30.00</u>
(c) Class A, B, C (1-year) license with endorsements - age 20 years	\$12.25 <u>15.00</u>
(d) Class D (3-year) license - under age 18 years	\$20.50 <u>25.00</u>
(e) Class D (3-year) license - age 18 to 21 years	\$20.50 <u>25.00</u>
(f) Class D (1-year) license - age 17 years or age 20 years	\$12.25 <u>15.00</u>
(g) Four-year Class D license - age 21 years and older	\$24.50 <u>30.00</u>
(h) Eight-year Class D license - age 21 to 63 years	\$45.55 <u>55.00</u>
(i) Class A, B, C instruction permit	\$19.50 <u>29.00</u>
(j) Class D instruction permit or supervised instruction permit	\$11.50 <u>15.00</u>
(k) Duplicate driver's license or permit issued under section 49-318, Idaho	

1	Code	\$11.50 15.00
2	(l) Driver's license extension issued under section 49-319, Idaho Code	\$ 6.50 10.00
3	(m) License classification change (upgrade)	\$15.50 25.00
4	(n) Endorsement addition	\$11.50 15.00
5	(o) Class A, B, C skills tests not more than	\$55.00 70.00
6	(p) Class D skills test	\$15.00 24.00
7	(q) Motorcycle endorsement skills test	\$ 5.00 10.00
8	(r) Knowledge test	\$ 3.00
9	(s) Seasonal driver's license	\$27.50 39.00
10	(t) One time motorcycle "M" endorsement	\$11.50 15.00
11	(u) Motorcycle endorsement instruction permit	\$11.50 15.00
12	(v) Restricted driving permit or restricted school attendance driving permit ..	\$35.00 60.00
13	(2) Every application shall state the true and full name, date of birth, sex, declaration	
14	of Idaho residency, Idaho residence address and mailing address, if different, of the applicant,	
15	height, weight, hair color, and eye color, and the applicant's social security number as verified	
16	by the social security administration.	
17	(a) The requirement that an applicant provide a social security number as verified by	
18	the social security administration shall apply only to applicants who have been assigned a	
19	social security number.	
20	(b) An applicant who has not been assigned a social security number shall:	
21	(i) Present written verification from the social security administration that the	
22	applicant has not been assigned a social security number; and	
23	(ii) Submit a birth certificate, passport or other documentary evidence issued by	
24	an entity other than a state or the United States; and	
25	(iii) Submit such proof as the department may require that the applicant is lawfully	
26	present in the United States.	
27	A driver's license or any instruction permit issued on and after January 1, 1993, shall not	
28	contain an applicant's social security number. Applications on file shall be exempt from	
29	disclosure except as provided in sections 49-202, 49-203, 49-203A and 49-204, Idaho	
30	Code.	
31	Every application for a class A, B or C license shall state where the applicant has	
32	been licensed for the preceding ten (10) years and all applications shall also state whether	
33	the applicant has previously been licensed as a driver, and if so, when and by what	
34	state or country, and whether a driver's license or privileges have ever been suspended,	
35	revoked, denied, disqualified, canceled or whether an application has ever been refused,	
36	and if so, the date of and reason for the suspension, revocation, denial, disqualification,	
37	cancellation or refusal and the applicant's oath that all information is correct as signified	
38	by the applicant's signature.	
39	The applicant may be required to submit proof of identity acceptable to the examiner	
40	or the department and date of birth as set forth in a certified copy of his birth certificate	
41	when obtainable, or another document which provides satisfactory evidence of a person's	
42	date of birth acceptable to the examiner or the department.	
43	(c) Individuals required to register in compliance with section 3 of the federal military	
44	selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an	
45	opportunity to fulfill such registration requirements in conjunction with an application for	

a driver's license or instruction permit. Any registration information so supplied shall be transmitted by the department to the selective service system.

(3) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(4) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

(5) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license to ensure identification of the person and to obtain clearance to issue the license.

(6) When the fees required under this section are collected by a county officer, they shall be paid over to the county treasurer not less often than monthly, who shall immediately:

(a) Deposit an amount equal to five dollars (\$5.00) from each driver's license except an eight-year class D license, or any class D instruction permit application fees, application for a duplicate driver's license or permit, classification change, seasonal driver's license and additional endorsement, and ten dollars (\$10.00) from each eight-year class D driver's license, in the current expense fund; and

(b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle endorsement and motorcycle endorsement instruction permit fee in the current expense fund; and

(c) Deposit an amount equal to three dollars (\$3.00) from each fee for a knowledge test in the current expense fund; and

(d) Deposit an amount equal to ~~five ten~~ dollars (~~\$5~~10.00) from each fee for a motorcycle endorsement skills test in the current expense fund; provided however, if a contractor administers the skills test he shall be entitled to the ~~five ten~~ dollar (~~\$5~~10.00) fee; and

(e) Remit the remainder to the state treasurer; and

(f) Deposit ~~eleven seventeen~~ dollars and fifty cents (~~\$11~~17.50) from each fee for a class D skills test into the county current expense fund, unless the test is administered by a department-approved contractor, in which case the contractor shall be entitled to ~~eleven~~ seventeen dollars and fifty cents (~~\$11~~17.50) of each fee.

(7) When the fees required under this section are collected by a state officer or agency, they shall be paid over to the state treasurer.

(8) The state treasurer shall distribute the moneys received from fees imposed by the provisions of this section, whether collected by a county officer or by a state officer or agency as follows:

(a) Two dollars (\$2.00) of each fee for a four-year driver's license or seasonal driver's license, and four dollars (\$4.00) of each fee for an eight-year class D driver's license, and one dollar and fifty cents (\$1.50) of each fee charged for driver's licenses pursuant to subsections (1)(b), (d) and (e) of this section, and fifty cents (50¢) of each fee charged for driver's licenses pursuant to subsections (1)(c) and (f) of this section, shall be deposited in the emergency medical services fund II created in section 56-1018A, Idaho Code, and four dollars (\$4.00) of each fee charged pursuant to subsections (1)(a), (g) and (s) of this section and eight dollars (\$8.00) of each fee charged pursuant to subsection (1)(h) of this section and three dollars (\$3.00) of each fee for driver's licenses pursuant to subsections

(1)(b), (d) and (e) of this section, and one dollar (\$1.00) of each fee charged for driver's licenses pursuant to subsections (1)(c) and (f) of this section shall be deposited in the emergency medical services fund III created in section 56-1018B, Idaho Code; and

(b) ~~Sixteen~~ Twenty-eight dollars and ~~fifty cents~~ (\$16.5028.00) of each fee for a seasonal or class A, B or C driver's license, and ~~ten~~ nineteen dollars and ~~fifty cents~~ (\$10.0019.50) of each fee charged for a license pursuant to subsection (1)(b) of this section, and ~~five~~ dollars and forty one cents (\$5.41) eight dollars and sixteen cents (\$8.16) of each fee charged for a license pursuant to subsection (1)(c) of this section shall be deposited in the state highway ~~fund~~ fund account; and

(c) ~~Ten~~ Twenty dollars and ~~fifty cents~~ (\$10.5020.00) of each fee for a class A, B or C instruction permit or driver's license classification change shall be deposited in the state highway ~~fund~~ fund account; and

(d) Four dollars (\$4.00) of each fee for a class A, B or C instruction permit shall be deposited in the emergency medical services fund III created in section 56-1018B, Idaho Code; and

(e) ~~Six~~ Ten dollars and ~~fifty cents~~ (\$6.5010.00) of each fee for a duplicate seasonal or class A, B or C driver's license, class A, B or C driver's license extension, or additional endorsement shall be deposited in the state highway ~~fund~~ fund account; and

(f) ~~Four~~ Seven dollars and ~~fifty cents~~ (\$4.007.50) of each fee for a motorcycle endorsement and motorcycle endorsement instruction permit shall be deposited in the state highway ~~fund~~ fund account; and

(g) Five dollars and thirty cents (\$5.30) of each fee for a four-year class D driver's license, and ten dollars and sixty cents (\$10.60) of each fee for an eight-year class D driver's license, and four dollars (\$4.00) of each fee charged for a license pursuant to subsections (1)(d) and (e) of this section, and one dollar and thirty-three cents (\$1.33) of each fee charged for a license pursuant to subsection (1)(f) of this section shall be deposited in the driver training fund; and

(h) ~~Seven~~ Twelve dollars and ~~twenty~~ seventy cents (\$7.2012.70) of each fee for a four-year class D driver's license, and ~~ten~~ twenty dollars and ~~forty cents~~ (\$10.4020.40) of each fee for an eight-year class D driver's license, and ~~six~~ ten dollars and ~~fifty cents~~ (\$6.0010.50) of each fee charged for a license pursuant to subsections (1)(d) and (e) of this section, and ~~four~~ six dollars and ~~eighty-three cents~~ (\$4.086.83) of each fee charged for a license pursuant to subsection (1)(f) of this section shall be deposited in the highway distribution fund; and

(i) Two dollars and sixty cents (\$2.60) of each fee for a class D instruction permit, duplicate class D license or permit, and class D license extension shall be deposited in the driver training fund; and

(j) ~~Three~~ Seven dollars and ~~ninety~~ forty cents (\$3.907.40) of each fee for a class D instruction permit, duplicate class D license or permit, and class D license extension shall be deposited in the highway distribution fund; and

(k) ~~Five~~ Ten dollars (\$5.0010.00) of each fee for a class A, B or C skills test shall be deposited in the state highway ~~fund~~ fund account; and

(l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D driver's license, and two dollars (\$2.00) of each fee for an eight-year class D driver's license, and one dollar (\$1.00) of each fee charged for a license pursuant to subsections (1)(b), (d) and (e) of this section, and thirty-four cents (34¢) of each fee charged for a license pursuant

to subsections (1)(c) and (f) of this section shall be deposited in the motorcycle safety program fund established in section 33-4904, Idaho Code; and

(m) ~~Three~~ Six dollars and fifty cents (~~\$36~~56.50) of each fee for a class D skills test shall be deposited into the state highway ~~fund~~ account.

(9) The contractor administering a class A, B or C skills test shall be entitled to not more than ~~forty~~ sixty dollars (~~\$560~~560.00) of the skills test fee. A contractor administering a class A, B or C skills test may collect an additional fee for the use of the contractor's vehicle for the skills test.

(10) ~~Thirty five~~ Sixty dollars (~~\$3560~~560.00) of each restricted driving permit and each restricted school attendance driving permit shall be deposited in the state highway ~~fund~~ account.

(11) The department may issue seasonal class B or C driver's licenses to drivers who are employees of agri-chemical businesses, custom harvesters, farm retail outlets and suppliers, and livestock feeders that:

(a) Will only be valid for driving commercial vehicles that normally require class B or C commercial driver's licenses;

(b) Will be valid for seasonal periods that begin on the date of issuance and that are not to exceed one hundred eighty (180) days in a twelve (12) month period;

(c) May only be obtained twice in a driver's lifetime;

(d) Are valid only within a one hundred fifty (150) mile radius of the place of business or farm being serviced; and

(e) Will be valid only in conjunction with valid Idaho class D driver's licenses.

(12) The department may issue seasonal class B or C driver's licenses to drivers who:

(a) Have not violated the single license provisions of applicable federal regulations;

(b) Have not had any license suspensions, revocations or cancellations;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

(d) Have at least one (1) year of driving experience with a class D or equivalent license in any type motor vehicle; and

(e) Are at least sixteen (16) years old.

SECTION 6. That Section 49-328, Idaho Code, be, and the same is hereby amended to read as follows:

49-328. REINSTATEMENT OF REVOKED, DISQUALIFIED OR SUSPENDED DRIVER'S LICENSE – FEE – WHEN REINSTATEMENT PROHIBITED. (1) When the period of revocation, disqualification or suspension of a driver's license has expired, or the reason for the revocation, disqualification or suspension no longer exists, the department shall reinstate the driver's license or driving privileges on application of the driver.

(2) The application shall be in the form prescribed by the department and accompanied by a reinstatement fee of ~~fifteen~~ twenty-five dollars (~~\$15~~25.00) which shall be deposited in the state highway account.

(3) A driver's license which has been suspended under section 49-1505, Idaho Code, for failure to pay an infraction penalty shall not be reinstated until the licensee provides proof that the infraction penalty has been paid to the court.

(4) In addition to any other fees required in this section to be collected, the department shall collect ~~forty~~ sixty dollars (~~\$560~~560.00) for reinstating a driver's license after conviction for driving under the influence, without privileges, and after conviction or other violation of any

1 other traffic related misdemeanor or infraction, of which fees forty dollars (\$40.00) shall be
 2 paid over to the county treasurer of the county in which the conviction occurred for support
 3 of that county's justice fund, or the current expense fund if no county justice fund has been
 4 established, and the ~~ten~~ twenty dollars (\$~~40~~20.00) shall be deposited in the state highway
 5 account.

6 (5) In addition to any other fees required in this section to be collected, the department
 7 shall collect ~~one two~~ hundred fifteen dollars (\$~~115~~200) for reinstating a driver's license after
 8 a suspension imposed under the provisions of section 18-8002 or section 18-8002A, Idaho
 9 Code, or after a revocation, disqualification or suspension arising out of any alcohol or drug
 10 related offense, other than a suspension imposed upon a person under eighteen (18) years of
 11 age pursuant to section 18-1502(d), Idaho Code. Funds collected pursuant to this subsection
 12 shall be deposited in the state highway account. ~~The department shall reevaluate the amount of~~
 13 ~~the reinstatement fee herein imposed not later than February, 2000, to determine the sufficiency~~
 14 ~~of the fee to meet the costs associated with the implementation of section 18-8002A, Idaho~~
 15 ~~Code.~~

16 (6) When there is more than one (1) reason why a driver's license was revoked or
 17 suspended or why a driver was disqualified, the department shall not collect multiple fees
 18 for reinstatement, but shall only collect one (1) reinstatement fee, which shall be the greater
 19 reinstatement fee, provided however, the department shall collect a reinstatement fee for each
 20 revocation, disqualification or suspension under chapter 80, title 18, Idaho Code.

21 SECTION 7. That Section 49-523, Idaho Code, be, and the same is hereby amended to
 22 read as follows:

23 49-523. PROCEDURE WHEN DEPARTMENT UNSATISFIED AS TO OWNERSHIP
 24 OR SECURITY INTERESTS – TEMPORARY REGISTRATION PROCEDURE. (1) If the
 25 department is not satisfied as to the ownership of the vehicle or that there are no undisclosed
 26 security interests in it, the department may register the vehicle, but shall either:

27 (a) Withhold issuance of a certificate of ownership until the applicant presents documents
 28 reasonably sufficient to satisfy the department as to the applicant's ownership of the
 29 vehicle and that there are no undisclosed security interests in it; or

30 (b) As a condition of issuing a certificate of ownership, require the applicant to file
 31 with the department all documents held as to the applicant's ownership of the vehicle,
 32 together with a bond in the form prescribed by the department and executed by the
 33 applicant, or a deposit of cash in a like amount. The bond shall be in an amount
 34 equal to one and one-half (1 1/2) times the value of the vehicle, as determined by the
 35 department, and conditioned to indemnify any prior owner and secured party and any
 36 subsequent purchaser of the vehicle or person acquiring any security interest in it, and
 37 their respective successors in interest, against any expense, loss or damage, including
 38 reasonable attorney's fees, by reason of the issuance of the certificate of ownership of
 39 the vehicle, or on account of any defect in or disclosed security interest upon the right,
 40 title and interest of the applicant in and to the vehicle. Any such interested person has a
 41 right of action to recover on the bond for any breach of its conditions, but the aggregate
 42 liability of the surety to all persons shall not exceed the amount of the bond. The bond,
 43 or any cash deposit, shall be returned at the end of three (3) years, or prior to that
 44 time if the vehicle is no longer registered in this state and the current valid certificate

1 of ownership is surrendered to the department, unless the department has been notified of
2 the pendency of an action to recover on the bond.

3 (c) As to a vehicle ten (10) years old or more since manufacture, an applicant who
4 is a resident of the state of Idaho may file with the department, before its authorized
5 representative, a verified statement of facts setting out in detail the manner in which the
6 applicant came into possession of the vehicle, the establishment of ownership, and a
7 summary of the applicant's attempts to contact any prior owners of the vehicle. Upon
8 receipt by the department of the verified statement and all documentation relating to the
9 applicant's possession of the vehicle, and completion of an inspection of the vehicle
10 identification number by an authorized representative of the department, the applicant
11 shall execute a document in the form provided by the department releasing it of any
12 and all damages that may be suffered by the applicant, along with warranties that the
13 applicant will pay any and all damages suffered by any person or entity as to the issuance
14 of a title for that vehicle by the department. The department shall then issue a certificate
15 of title to the applicant in form set out by this section. The certificate of title shall
16 include the statement, "ISSUED ON STATEMENT OF APPLICANT", in permanent
17 letters upon its face. The title issued pursuant to this subsection shall be presumed to
18 indicate legal ownership of the vehicle at the end of the three (3) year period from the
19 date of issue of that title, provided the vehicle is still registered in the state of Idaho, and
20 there are no actions or claims pending against the applicant which places legal ownership
21 in question. The department and the state of Idaho shall be immune as to any damages
22 suffered by any person or entity as a result of the issuance of a certificate of title as
23 provided by this subsection.

24 (2) Every dealer desiring the privilege of issuing temporary registration permits for the
25 operation of vehicles shall make application to the department. If the privilege is granted, the
26 dealer will receive a series of permits, consecutively numbered by the department, secured by
27 the dealer at a fee of ~~five~~ nine dollars (\$~~5~~9.00) for each permit. A permit subsequently issued
28 by a dealer to a purchaser shall be valid for a period not to exceed thirty (30) days.

29 The dealer shall issue temporary registration permits in numerical sequence, one (1) only
30 for each vehicle sold to a bona fide purchaser. Each permit, and the attached stub, shall be
31 completed in duplicate, in ink or by typewriter at the time of issuance. The expiration date
32 on the original permit shall be filled in by rubber stamp or broad-tipped marking pen, and the
33 print shall be at least three-fourths (3/4) inch high and one-eighth (1/8) inch wide. The original
34 permit shall be displayed in the rear window of the vehicle for which it is issued, except when
35 issued for a convertible, station wagon, motorcycle, or other vehicle for which this would not
36 be practical. In these exceptional cases, the permit should be conspicuously displayed in a
37 place where the number of the permit and the expiration date may be easily read and where
38 protected from exposure to weather conditions which would render it illegible.

39 (3) The dealer shall keep a written record of every temporary registration permit issued.
40 This record shall include the name and address of the person or firm to whom the permit
41 is issued, a description of the vehicle for which it is issued, including year, make, model,
42 identification number, and the date of issue. This record shall list all permits in numerical
43 sequence and shall be open to inspection by any peace officer or designated employee of the
44 department.

(4) The fees collected from dealers by the department under the provisions of this section shall be transmitted by the department to the state treasurer for deposit in the highway distribution account.

(5) Upon application for title and for registration of a vehicle for which temporary registration has been issued under this section, the county assessor shall collect and fees shall be deemed due from the date of issuance of the temporary registration permit rather than from date of application for title or registration.

(6) The department or a county assessor may issue temporary vehicle registration permits in an emergency situation. The fee for a temporary registration shall be ~~five~~ nine dollars (\$~~5~~9.00), and shall be valid for a period of thirty (30) days. The temporary fees collected by the department shall be transmitted to the state treasurer for deposit in the highway distribution account. Temporary fees collected by an assessor shall be distributed as follows: ~~three~~ five dollars (\$~~3~~5.00) shall be deposited in the county current expense fund and ~~two~~ four dollars (\$~~2~~4.00) shall be transmitted to the department for deposit through the state treasurer in the highway distribution account.

SECTION 8. That Section 49-1224, Idaho Code, be, and the same is hereby amended to read as follows:

49-1224. SELF-INSURERS. (1) Any person in whose name more than twenty-five (25) motor vehicles are registered and titled in Idaho, or engaged in the operation of a railroad, street railway system or public utility subject to the regulation of the public utilities commission irrespective of the number of vehicles registered, may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department.

(2) The department may, in its discretion, issue a certificate of self-insurance and certificate of liability insurance in a form as the department prescribes when the department is satisfied that the person is possessed and will continue to be possessed of ability to pay judgments obtained against that person upon application, and providing a statement by a certified public accountant attesting the applicant's net worth is five hundred thousand dollars (\$500,000), a list of vehicles and an application fee of ~~forty~~ seventy dollars (\$~~4~~70.00) which shall be deposited in the state highway account.

(3) The self-insurer will be required to submit an annual financial statement showing net worth of five hundred thousand dollars (\$500,000), a list of vehicles and a ~~forty~~ seventy dollar (\$~~4~~70.00) issue fee to be deposited in the state highway account.

(4) Upon not less than five (5) days' notice and a hearing pursuant to the notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within thirty (30) days after a judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

SECTION 9. That Section 49-1607, Idaho Code, be, and the same is hereby amended to read as follows:

49-1607. FEES – FUNDS – EXPENSES – EXPIRATION OF LICENSES. (1) The department shall collect with each application for licensure, the following fees:

(a) Dealer's, wholesale dealer's and vehicle manufacturer's license, initial application, ~~one~~ two hundred ~~twenty-five~~ dollars (\$~~125~~200), ten dollars (\$10.00) of which shall

be deposited in the county current expense fund. Renewal application, one hundred seventy-five dollars (~~\$100~~75).

(b) Vehicle salesman's license, ~~twenty-five~~ thirty-six dollars (~~\$25~~36.00), ten dollars (\$10.00) of which shall be deposited in the county current expense fund.

(c) Distributor-factory branch-distributor branch license, one hundred seventy-five dollars (~~\$100~~75).

(d) Representative's license, ~~twenty-five~~ forty-four dollars (~~\$25~~44.00).

(e) To reissue a license, salesman and dealer identification cards or other licensing documents at a dealer's request, not resulting from an error by the department, a fee of ~~ten~~ eighteen dollars (~~\$10~~18.00) per document.

(f) Supplemental lot license or relocated principal place of business, and temporary supplemental lot, ~~twenty-five~~ forty-four dollars (~~\$25~~44.00) for license issued to a single dealer. A fee of ~~fifty~~ eighty-eight dollars (~~\$50~~88.00) for a license issued to a group of dealers for a temporary supplemental lot.

(2) All fees shall be paid over to the state treasurer for credit to the state highway account out of which shall be paid the expenses of the department and the expenses incurred in enforcing the provisions of this chapter.

(3) Dealer licenses, if not suspended or revoked, may be renewed from year to year upon the payment of the fees specified in this section to accompany applications, and renewals shall be made in accordance with the provisions of section 49-1634, Idaho Code.

(a) There shall be twelve (12) licensing periods, starting with January and ending in December. A dealer's license shall be in effect from the month of initial licensing through the last day of the next year's calendar month that precedes the month of the initial licensing.

(b) Any renewal license application received or postmarked after thirty (30) days from the end of the previous year's license period shall be processed as an initial application and initial fees shall be paid.

(4) Salesman licenses, if not suspended or revoked, shall be valid for three (3) years from the date of issue provided that:

(a) Employment remains with the sponsoring dealership; and

(b) The sponsoring dealership has a valid license issued by the department.

Renewals shall be issued in accordance with the provisions of section 49-1635, Idaho Code.

SECTION 10. That Section 49-2444, Idaho Code, be, and the same is hereby amended to read as follows:

49-2444. IDENTIFICATION CARD ISSUED – FOUR-YEAR OR EIGHT-YEAR. (1) The department shall issue a distinguishing identification card which shall set forth the information contained in the application, in a form as prescribed by the department. All identification cards issued on or after January 1, 1993, shall not contain the applicant's social security number. An applicant's social security number shall be exempt from disclosure except for inquiries from agencies or institutions authorized to obtain such information by federal law or regulation, from peace officers or from jury commissioners. Each card shall have printed on it the applicant's full name, date of birth, Idaho residence address, sex, weight, height, eye color, hair color, and shall be issued a distinguishing number assigned to the applicant. Each card shall also have printed on it the name of this state, the date of issuance, and the date of expiration. An identification card shall not be valid until it has been signed on the signature

line by the applicant. Each card shall bear upon it a color photograph of the applicant which shall be taken by the examiner at the time of application. The photograph shall be taken without headgear or other clothing or device that disguises or otherwise conceals the face or head of the applicant. A waiver may be granted by the department allowing the applicant to wear headgear or other head covering for medical, religious or safety purposes so long as the face is not disguised or otherwise concealed. At the request of the applicant, an identification card may contain a statement or indication of the medical condition of the applicant.

No person shall receive an identification card unless and until he surrenders to the department all identification cards in his possession issued to him by Idaho or any other jurisdiction, or any driver's license issued by any other jurisdiction within the United States, or until he executes an affidavit that he does not possess an identification card or any driver's license.

Identification cards issued to persons under eighteen (18) years of age shall include a notation "under 18 until (month, day, year)," and identification cards issued to persons eighteen (18) years of age to twenty-one (21) years of age shall include a notation "under 21 until (month, day, year)." The nonrefundable fee for a four-year identification card issued to persons twenty-one (21) years of age or older shall be ~~seven ten dollars and fifty cents (\$7.50)~~ ten dollars (\$10.00) of which five dollars (\$5.00) shall be retained by the county and credited to the current expense fund, and ~~two five dollars and fifty cents (\$2.50)~~ five dollars (\$5.00) shall be deposited in the state treasury to the credit of the highway distribution account. The nonrefundable fee for identification cards issued to persons under twenty-one (21) years of age shall be ~~six ten dollars and fifty cents (\$6.50)~~ ten dollars (\$10.00), of which five dollars (\$5.00) shall be retained by the county and credited to the current expense fund, and ~~one five dollars and fifty cents (\$1.50)~~ five dollars (\$5.00) shall be deposited in the state treasury to the credit of the highway distribution account. The nonrefundable fee for an eight-year identification card shall be ~~fifteen twenty dollars (\$15.20)~~ twenty dollars (\$20.00) of which ten dollars (\$10.00) shall be retained by the county and credited to the current expense fund, and ~~five ten dollars (\$5.10)~~ ten dollars (\$10.00) shall be deposited in the state treasury to the credit of the highway distribution account. At the option of the applicant, the identification card issued to a person twenty-one (21) years of age or older shall expire either on the cardholder's birthday in the fourth year or the eighth year following issuance of the card, except as otherwise provided in subsection (3) of this section. Every identification card issued to a person under eighteen (18) years of age shall expire five (5) days after the person's eighteenth birthday, except as otherwise provided in subsection (3) of this section. Every identification card issued to a person eighteen (18) years of age but under twenty-one (21) years of age shall expire five (5) days after the person's twenty-first birthday, except as otherwise provided in subsection (3) of this section.

Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for an identification card. Any registration information so supplied shall be transmitted by the department to the selective service system.

(2) Every identification card, except those issued to persons under twenty-one (21) years of age, shall be renewable on or before its expiration, but not more than twelve (12) months before, and upon application and payment of the required fee.

(3) Every identification card issued to a person who is not a citizen or permanent legal resident of the United States shall have an expiration date that is the same date as the end of lawful stay in the United States as indicated on documents issued and verified by the

1 department of homeland security, provided however, that the expiration date shall not extend
 2 beyond the expiration date for the same category of identification card issued to citizens.
 3 Persons whose department of homeland security documents do not state an expiration date
 4 shall be issued an identification card with an expiration date of one (1) year from the date of
 5 issuance.

6 (4) When an identification card has been expired for less than twelve (12) months, the
 7 renewal of the identification card shall start from the original date of expiration regardless of
 8 the year in which the application for renewal is made. If the identification card is expired
 9 for more than twelve (12) months, the application shall expire, at the option of the applicant,
 10 on the applicant's birthday in the fourth year or the eighth year following reissuance of the
 11 identification card, except as otherwise provided in subsection (3) of this section.

12 (5) A person possessing an identification card who desires to donate any or all organs
 13 or tissue in the event of death, and who has completed a document of gift pursuant to the
 14 provisions for donation of anatomical gifts as set forth in chapter 34, title 39, Idaho Code, may,
 15 at the option of the donor, indicate this desire on the identification card by the imprinting of
 16 the word "donor" on the identification card. The provisions of this subsection shall apply to
 17 persons possessing an identification card who are sixteen (16) years of age or older but less
 18 than eighteen (18) years of age if the requirements provided in chapter 34, title 39, Idaho Code,
 19 have been complied with.

20 (6) A person possessing an identification card or an applicant for an identification
 21 card who is a person with a permanent disability may request that the notation "permanently
 22 disabled" be imprinted on the identification card, provided the person presents written
 23 certification from a licensed physician verifying that the person's stated impairment qualifies as
 24 a permanent disability according to the provisions of section 49-117, Idaho Code.

25 (7) In the case of a name change, the applicant shall provide legal documentation to
 26 verify the change in accordance with department rules.

27 (8) Whenever any person, after applying for or receiving an identification card, shall
 28 move from the address shown on the application or on the identification card issued, that person
 29 shall, within thirty (30) days, notify the transportation department in writing of the old and new
 30 addresses.

31 (9) The department shall cancel any identification card upon determining that the person
 32 was not entitled to the issuance of the identification card, or that the person failed to give
 33 the required and correct information in his application or committed fraud in making the
 34 application. Upon cancellation, the person shall surrender the canceled identification card to
 35 the department.

36 (10) If any person shall fail to return to the department the identification card as required,
 37 the department may direct any peace officer to secure its possession and return the identification
 38 card to the department.

39 (11) The department may issue a no-fee identification card to an individual whose driver's
 40 license has been canceled and voluntarily surrendered as provided in section 49-322(4), Idaho
 41 Code. The identification card may be renewed at no cost to the applicant as long as the driver's
 42 license remains canceled.

43 (12) It is an infraction for any person to fail to notify the department of a change of
 44 address as required by the provisions of subsection (8) of this section.

45 SECTION 11. That Section 63-2402, Idaho Code, be, and the same is hereby amended to
 46 read as follows:

63-2402. IMPOSITION OF TAX UPON MOTOR FUEL. (1) A tax is hereby imposed upon the distributor who receives motor fuel in this state. The legal incidence of the tax imposed under this section is borne by the distributor. The tax becomes due and payable upon receipt of the motor fuel in this state by the distributor unless such tax liability has previously accrued to another distributor pursuant to this section. The tax shall be imposed without regard to whether use is on a governmental basis or otherwise, unless exempted by this chapter.

(2) The tax imposed in this section shall be at the rate of twenty-five ~~eight~~ cents (25~~8~~¢) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(3) The tax imposed in this section shall be at the rate of thirty-one cents (31¢) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(4) Subsection (2) of this section shall be in full force and effect on and after July 1, 2009, through June 30, 2010.

(5) Subsection (3) of this section shall be in full force and effect on and after July 1, 2010.

(6) Nothing in this chapter shall prohibit the distributor who is liable for payment of the tax imposed under subsection (1) of this section from including as part of the selling price an amount equal to such tax on motor fuels sold or delivered by such distributor; provided however, that nothing in this chapter shall be deemed to impose tax liability on any person to whom such fuel is sold or delivered except as provided in subsection (6~~9~~) of this section.

(4~~7~~) Any person coming into this state in a motor vehicle may transport in the manufacturer's original tank of that vehicle, for his own use only, not more than thirty (30) gallons of motor fuel for the purpose of operating that motor vehicle, without complying with the provisions of this chapter.

(5~~8~~) The tax imposed in this section does not apply to:

(a) Special fuels that have been dyed at a refinery or terminal under the provisions of 26 U.S.C. section 4082 and regulations adopted thereunder, or under the clean air act and regulations adopted thereunder except as provided in section 63-2425, Idaho Code; or

(b) Special fuel dispensed into a motor vehicle which uses gaseous special fuels and which displays a valid gaseous special fuels permit under section 63-2424, Idaho Code; or

(c) Special fuels that are gaseous special fuels, as defined in section 63-2401, Idaho Code, except that part thereof that is delivered into the fuel supply tank or tanks of a motor vehicle; or

(d) Aircraft engine fuel subject to tax under section 63-2408, Idaho Code.

(6~~9~~) Should the distributor of first receipt be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a federally-recognized Indian tribe or member of such tribe, such distributor shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel. Such distributor shall retain the administrative obligation to remit the tax, and such obligation shall accrue upon receipt in accordance with subsection (1) of this section. Should a retailer otherwise subject to the tax be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a federally-recognized Indian tribe or member of such tribe, the retailer shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel to the consumer, unless such consumer is exempt from imposition of the tax as a matter of federal law, by virtue of its status as a federally-recognized Indian tribe or membership in such tribe, and the retailer shall

be entitled to claim a credit against taxes otherwise due and owing under this chapter or a tax refund, together with interest, attributable to the fuel purchased by such consumer.

SECTION 12. That Section 63-2424, Idaho Code, be, and the same is hereby amended to read as follows:

63-2424. GASEOUS FUELS. (1) In the case of special fuels which are in a gaseous form, the commission shall provide by rule the method to be used for converting the measurement of the fuel to the equivalent of gallons for the purpose of applying tax rates. The method provided shall cause the tax rate provided in section 63-2402, Idaho Code, to apply to an amount of gaseous fuels having energy equal to one (1) gallon of gasoline.

(2) As an alternative to the provisions of subsection (1) of this section, an annual fee in lieu of the excise tax may be collected on a vehicle powered by gaseous fuels. The rate of the fee shall be based on the following schedule for all types of gaseous fuels as adjusted by the formula for proration set out below. The permits shall be sold by gaseous fuels vendors dispensing gaseous fuels into motor vehicles.

VEHICLE TONNAGE (GVW)	FEE
0 — 8,000	\$ 60.00
8,001 — 16,000	\$ 89.00
16,001 — 26,000	\$179.00
26,001 and above	\$208.00
<u>VEHICLE TONNAGE (GVW)</u>	<u>FEE</u>
<u>0 — 8,000</u>	<u>\$ 80.00</u>
<u>8,001 — 16,000</u>	<u>\$110.00</u>
<u>16,001 — 26,000</u>	<u>\$230.00</u>
<u>26,001 and above</u>	<u>\$270.00</u>

Permits for vehicles which are converted to gaseous fuels after the first of July in any year shall have the fee prorated for the appropriate number of months until renewal. The commission shall provide by rule the method to be used for converting the measurement of fuel to the equivalent of gallons for the purpose of applying increases in tax rates after this law becomes effective. A decal issued by the commission shall be displayed in any vehicle for which a permit is issued hereunder as evidence that the annual fee has been paid in lieu of the fuel tax. This decal shall be displayed in a conspicuous place.

(3) As an alternative to the provisions of subsection (1) of this section, an annual fee in lieu of the excise tax may be collected on a vehicle powered by gaseous fuels. The rate of the fee shall be based on the following schedule for all types of gaseous fuels as adjusted by the formula for proration set out below. The permits shall be sold by gaseous fuels vendors dispensing gaseous fuels into motor vehicles.

<u>VEHICLE TONNAGE (GVW)</u>	<u>FEE</u>
<u>0 — 8,000</u>	<u>\$ 90.00</u>
<u>8,001 — 16,000</u>	<u>\$120.00</u>

<u>16,001 – 26,000</u>	<u>\$250.00</u>
<u>26,001 and above</u>	<u>\$290.00</u>

Permits for vehicles which are converted to gaseous fuels after the first of July in any year shall have the fee prorated for the appropriate number of months until renewal. The commission shall provide by rule the method to be used for converting the measurement of fuel to the equivalent of gallons for the purpose of applying increases in tax rates after this law becomes effective. A decal issued by the commission shall be displayed in any vehicle for which a permit is issued hereunder as evidence that the annual fee has been paid in lieu of the fuel tax. This decal shall be displayed in a conspicuous place.

(4) Subsection (2) of this section shall be in full force and effect on and after July 1, 2009, through June 30, 2010.

(5) Subsection (3) of this section shall be in full force and effect on and after July 1, 2010.

SECTION 13. Section 1 of this act shall be in full force and effect on and after July 1, 2009. Sections 2 through 8 of this act shall be in full force and effect on and after January 1, 2010.